



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 4-1926-00021/00052
Effective Date: 10/31/2008 Expiration Date: No expiration date

Permit Issued To: HOLCIM (US) INC
201 JONES RD
WALTHAM, MA 02451

Contact: GIRI BHAVANI
ST LAWRENCE CEMENT CO
6446 US RTE 9W PO BOX 31
CATSKILL, NY 12414-0031
(518) 943-4040

Facility: HOLCIM (US) INC. - CATSKILL PLANT
6446 US RTE 9W
ALSEN, NY 12414

Description:
The project involves construction of a storage building, hopper, and conveyor system for the input of synthetic gypsum into U-MATSH, EP-MAT12 and EPMAT14, Finish Mills 1 & 2. Synthetic gypsum can be used in place of the mined gypsum on a 1:1 basis.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: MICHAEL T HIGGINS
DIVISION OF ENVIRONMENTAL PERMITS
1130 N WESTCOTT RD
SCHENECTADY, NY 12306-2014

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department
Relationship of this Permit to Other Department Orders and
Determinations
Applications for permit renewals, modifications and transfers
Permit modifications, suspensions or revocations by the Department

Facility Level

Submission of application for permit modification or renewal-REGION 4
HEADQUARTERS



DEC GENERAL CONDITIONS
****** General Provisions ******
GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 1.1:

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

Item 1.2:

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

Item 1.3:

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 3.1:

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3.3:

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be



submitted prior to actual transfer of ownership.

Condition 4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 4.1:

The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

****** Facility Level ******

Condition 5: Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator
Region 4 Headquarters
Division of Environmental Permits
1130 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2069



Permit Under the Environmental Conservation Law (ECL)

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY
PERMIT**

IDENTIFICATION INFORMATION

Permit Issued To: HOLCIM (US) INC
201 JONES RD
WALTHAM, MA 02451

Facility: HOLCIM (US) INC. - CATSKILL PLANT
6446 US RTE 9W
ALSEN, NY 12414

Authorized Activity By Standard Industrial Classification Code:
3241 - CEMENT, HYDRAULIC

Permit Effective Date: 10/31/2008
date.

Permit Expiration Date: No expiration
date.



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

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Facility Level

Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 40CFR 60.675(g), NSPS Subpart OOO: Rescheduling of Performance Test
- #### Emission Unit Level

EU=U-MATSH

- 2 6NYCRR 212.6(a): Compliance Demonstration
- 3 40CFR 60.62(c), NSPS Subpart F: Compliance Demonstration

EU=U-MATSH,Proc=M02

- 4 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 5 40CFR 60.7(a), NSPS Subpart A: Date of construction notification - If a COM is not used.
- 6 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 7 40CFR 60.7(c), NSPS Subpart A: Compliance Demonstration
- 8 40CFR 60.7(d), NSPS Subpart A: Excess Emissions Report
- 9 40CFR 60.7(e), NSPS Subpart A: Monitoring frequency waiver.
- 10 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 11 40CFR 60.7(g), NSPS Subpart A: Notification Similar to State or Local Agency
- 12 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 13 40CFR 60.8(b), NSPS Subpart A: Performance Test Methods - Waiver EU Level
- 14 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 15 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 16 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 17 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 18 40CFR 60.9, NSPS Subpart A: Availability of information.
- 19 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 20 40CFR 60.12, NSPS Subpart A: Circumvention.
- 21 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
- 22 40CFR 60.14, NSPS Subpart A: Modifications.
- 23 40CFR 60.15, NSPS Subpart A: Reconstruction.
- 24 40CFR 60.672(b), NSPS Subpart OOO: Compliance Demonstration
- 25 40CFR 60.675(c)(1), NSPS Subpart OOO: Modifications to opacity observation techniques
- 26 40CFR 60.675(c)(3), NSPS Subpart OOO: Reduction in opacity observation duration - fugitive emissions from affected sources other than



crushers

27 40CFR 60.676(f), NSPS Subpart OOO: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

28 ECL 19-0301: Contaminant List

29 6NYCRR 201-1.4: Unavoidable noncompliance and violations

30 6NYCRR 201-5: Emission Unit Definition

31 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

32 6NYCRR 201-5: Emission Point Definition By Emission Unit

33 6NYCRR 201-5: Process Definition By Emission Unit



FEDERALLY ENFORCEABLE CONDITIONS

****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: Sealing - 6NYCRR Part 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

Item B: Acceptable Ambient Air Quality - 6NYCRR Part 200.6

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.



Item D: Unpermitted Emission Sources - 6NYCRR Part 201-1.2

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: Emergency Defense - 6NYCRR Part 201-1.5

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;

(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.



Item F: Recycling and Salvage - 6NYCRR Part 201-1.7

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6NYCRR Part 201-1.8

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

Item H: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR Part 201-3.2(a)

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item J: Required Emission Tests - 6 NYCRR Part 202-1.1

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air



pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Item K: Visible Emissions Limited - 6 NYCRR Part 211.3

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Item L: Open Fires - 6 NYCRR Part 215

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

Item M: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item N: Federally Enforceable Requirements - 40 CFR 70.6(b)

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

FEDERAL APPLICABLE REQUIREMENTS



The following conditions are federally enforceable.

Condition 1: Rescheduling of Performance Test
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.675(g), NSPS Subpart OOO

Item 1.1:

If, after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting any rescheduled performance test required in 40 CFR 60.675, the owner or operator of an affected facility shall submit a notice to the Administrator at least 7 days prior to any rescheduled performance test.

****** Emission Unit Level ******

Condition 2: Compliance Demonstration
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 212.6(a)

Item 2.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-MATSH

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 2.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Compliance with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions when the process is in operation. If any visible emissions are identified, corrective action is required. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation. Demonstrating compliance with 40 CFR 60 Subpart OOO - 672(b) indicates compliance with 212.6(a).

Reference Test Method: EPA Method 9

Monitoring Frequency: DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 3: Compliance Demonstration
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.62(c), NSPS Subpart F



Item 3.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-MATSH

Item 3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

On or after the date on which the performance test required to be conducted by 4 CFR Part 60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility kiln or clinker cooler any other than the gases which exhibit 10 percent opacity or greater.

Parameter Monitored: OPACITY

Upper Permit Limit: 10 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 6 calendar month(s).

Condition 4: EPA Region 2 address.

Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 4.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 4.2:

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance
USEPA Region 2
290 Broadway, 21st Floor
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the



beginning of this permit) and to the following address:

NYSDEC
Bureau of Quality Assurance
625 Broadway
Albany, NY 12233-3258

**Condition 5: Date of construction notification - If a COM is not used.
Effective between the dates of 10/31/2008 and Permit Expiration Date**

Applicable Federal Requirement:40CFR 60.7(a), NSPS Subpart A

Item 5.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 5.2:

Any owner or operator subject to this part shall furnish the Administrator with the following information:

- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;
- 5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date.

**Condition 6: Recordkeeping requirements.
Effective between the dates of 10/31/2008 and Permit Expiration Date**

Applicable Federal Requirement:40CFR 60.7(b), NSPS Subpart A

Item 6.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02



Item 6.2:

Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 7: Compliance Demonstration
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.7(c), NSPS Subpart A

Item 7.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-MATSH

Process: M02

Item 7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Affected owners or operators shall submit an excess emissions report semi-annually based on the calendar year (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be postmarked no later than 30 calendar days following the end of the reporting period, and shall contain the following information:

- 1) the magnitude of excess emissions computed, any conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;
- 2) specific identification of each period of excess emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective action are provided for a malfunction;
- 3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero span checks and the nature of the system repairs or adjustments; and
- 4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

Monitoring Frequency: CONTINUOUS



Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 6 calendar month(s).

Condition 8: Excess Emissions Report
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.7(d), NSPS Subpart A

Item 8.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 8.2:

A summary report form, for each pollutant monitored, shall be sent to the Administrator in the form prescribed in Figure 1 of 40 CFR Part 60.7(d).

Condition 9: Monitoring frequency waiver.
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.7(e), NSPS Subpart A

Item 9.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 9.2: Notwithstanding the frequency of reporting requirements specified in paragraph (c) of this section, an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the conditions in 40 CFR 60.7(e) are met.

Condition 10: Facility files for subject sources.
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.7(f), NSPS Subpart A

Item 10.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 10.2:

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspection. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

Condition 11: Notification Similar to State or Local Agency



Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.7(g), NSPS Subpart A

Item 11.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 11.2:

If notification substantially similar to that in 40 CFR Part 60.7(a) is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of 40 CFR Part 60.7(a).

Condition 12: Performance testing timeline.

Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.8(a), NSPS Subpart A

Item 12.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 12.2:

Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

Condition 13: Performance Test Methods - Waiver EU Level

Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.8(b), NSPS Subpart A

Item 13.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 13.2:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR Part 60 unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternate method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

Condition 14: Required performance test information.

Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.8(c), NSPS Subpart A



Item 14.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 14.2:

Performance tests shall be conducted under such conditions specified by the Administrator, based upon representative performance data supplied by the owner or operate of the facility.

Condition 15: Prior notice.
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.8(d), NSPS Subpart A

Item 15.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 15.2:

The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.

Condition 16: Performance testing facilities.
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.8(e), NSPS Subpart A

Item 16.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 16.2:

The following performance testing facilities shall be provided during all tests:

- 1) sampling ports adequate for tests methods applicable to such facility;
- 2) a safe sampling platform;
- 3) a safe access to the sampling platform; and
- 4) utilities for sampling and testing equipment.

Condition 17: Number of required tests.
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.8(f), NSPS Subpart A

Item 17.1:

This Condition applies to Emission Unit: U-MATSH



Process: M02

Item 17.2:

Each performance test shall consist of three separate runs, at the specified duration required in the applicable test method. Compliance with all applicable standards shall be determined by using the arithmetic means of the results of the three runs.

Condition 18: Availability of information.
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 18.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 18.2:

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter.

Condition 19: Opacity standard compliance testing.
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A

Item 19.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 19.2:

The following conditions shall be used to determine compliance with the opacity standards:

1) observations shall be conducted in accordance with Reference Method 9, in Appendix A or this Part 40 CFR 60(or an equivalent method approved by the Administrator including continuous opacity monitors);

2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and

3) all other applicable conditions cited in section 60.11 of this part.

Condition 20: Circumvention.
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 20.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02



Item 20.2:

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 21: Monitoring requirements.
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.13, NSPS Subpart A

Item 21.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 21.2:

All continuous monitoring systems and devices shall be installed, calibrated, maintained, and operated in accordance with the requirements of section 60.13.

Condition 22: Modifications.
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A

Item 22.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 22.2:

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

Condition 23: Reconstruction.
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A

Item 23.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 23.2:

The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

- 1) a notice of intent to reconstruct 60 days prior to the action;



- 2) name and address of the owner or operator;
- 3) the location of the existing facility;
- 4) a brief description of the existing facility and the components to be replaced;
- 5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;
- 6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;
- 7) the estimated life of the facility after the replacements; and
- 8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

Condition 24: Compliance Demonstration

Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.672(b), NSPS Subpart OOO

Item 24.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-MATSH
Process: M02

Item 24.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

No owner or operator shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility (as defined in 40 CFR 60.670(a)(1)) any fugitive emissions which exhibit greater than 10 percent opacity, except as provided in 40 CFR 60.672(c), (d), and (e).

Parameter Monitored: OPACITY

Upper Permit Limit: 10 percent

Reference Test Method: EPA RM 9

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 25: Modifications to opacity observation techniques

Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.675(c)(1), NSPS Subpart



OOO

Item 25.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 25.2:

In determining compliance with the particulate matter standards in 40 CFR 60.672 (b) and (c), the owner or operator shall use Method 9 and the procedures in 40 CFR 60.11, with the following additions:

(i) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).

(ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.

(iii) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

Condition 26: Reduction in opacity observation duration - fugitive emissions from affected sources other than crushers
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.675(c)(3), NSPS Subpart

OOO

Item 26.1:

This Condition applies to Emission Unit: U-MATSH
Process: M02

Item 26.2:

When determining compliance with the fugitive emissions standard for any affected facility described under 40 CFR 60.672(b), the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

(i) There are no individual readings greater than 10 percent opacity; and

(ii) There are no more than 3 readings of 10 percent for the 1-hour period.

Condition 27: Compliance Demonstration
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.676(f), NSPS Subpart OOO

Item 27.1:



The Compliance Demonstration activity will be performed for:

Emission Unit: U-MATSH

Process: M02

Item 27.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in 40 CFR 60.672, including reports of opacity observations made using Method 9 to demonstrate compliance with 40 CFR 60.672(b), (c), and (f), and reports of observations using Method 22 to demonstrate compliance with 40 CFR 60.672(e)

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



STATE ONLY ENFORCEABLE CONDITIONS

****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: Public Access to Recordkeeping for Facilities With State Facility Permits - 6NYCRR Part 201-1.10(a)

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

Item B: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.



Condition 28: Contaminant List
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 28.1:

Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 0NY075-00-0

Name: PARTICULATES

Condition 29: Unavoidable noncompliance and violations
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-1.4

Item 29.1:

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports



described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

Condition 30: Emission Unit Definition
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 30.1:

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: U-MATSH

Emission Unit Description:

This unit includes all raw, intermediate, and finished materials storage and handling except for storage in piles and bulk storage of liquids in tanks. Emission points include EP-MAT01 thru EP-MAT24 and will include this new emission point EP-MAT25. EP-MAT25 will begin construction as soon as this modification is approved. This emission point covered storage building with three sides enclosed, a covered hopper, and a dual conveyor system (fed by the hopper), which transports the synthetic gypsum to the two finish mills.

Building(s): SGBLG
SGHOP

Condition 31: Air pollution prohibited
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 211.2

Item 31.1:

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.



****** Emission Unit Level ******

Condition 32: Emission Point Definition By Emission Unit
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Applicaton Specific Data

Condition 33: Process Definition By Emission Unit
Effective between the dates of 10/31/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 33.1:

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-MATSH

Process: M02

Source Classification Code: 3-05-007-12

Process Description:

Material loading, unloading, transfer, conveying into bins, silos, raw and finish mills. Materials include all raw materials, additives, correctives used in the production of Portland cement. New EP-MAT25 includes the storage building, covered hopper and dual conveyor system for synthetic gypsum.

Emission Source/Control: SGBLG - Process

Emission Source/Control: SGCON - Process

Emission Source/Control: SGHOP - Process

